

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The Final Office Action mailed August 12, 2004 has been carefully considered. In response, a Request For Continued Examination is submitted, claims are amended and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

Inasmuch as the present amendment raises no new issues for consideration, and, in any event, places the present application in condition for allowance or in better condition for consideration on appeal, its entry under the provisions of 37 CFR 1.116 is respectfully requested.

REJECTION UNDER 35 USC 112, SECOND PARAGRAPH

In the Office Action, claims 1-9 and 12 are rejected under the second paragraph of 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the

subject matter which Applicants regard as the invention. In response, claims 1-3 and 12 are amended to change "desired measuring object" to -- desired object to be measured such as a desired electronic device including at least one of electronic equipment and electronic parts -- in a sincere effort to overcome the indefiniteness rejection.

PRIOR ART REJECTIONS

In the Office Action claims 1-7 and 12 are rejected under 35 USC 103(a) as being unpatentable over USP 5,790,977 (Ezekiel) in view of USP 5,861,882 (Sprenger et al.). Claims 6 and 7 are rejected under 35 USC 103(a) as being unpatentable over Ezekiel in view of Sprenger et al., and further in view of USP 6,434,533 (Fitzgerald). Claims 8 and 9 are rejected under 35 USC 103(a) as being unpatentable over Ezekiel and Sprenger et al., and further in view of USP 5,968,110 (Westrope et al.).

In response, claims 1-3 and 12 are amended in a sincere effort to more clearly define the present claimed invention over the cited references.

The present claimed invention as defined by amended claim 1 is directed to an interactive demonstration system for a measuring instrument using a network. The system includes, in response to a request for providing demonstration information on a predetermined measuring instrument from a user terminal and a request for making operation, delivering to the user terminal via a network an operational program that contains demonstration information for measuring properties of a desired object to be measured such as a desired electronic device including at least one of electronic equipment and electronic parts, thereby switch-connecting the desired object to be measured to the predetermined measuring instrument. The system also causes the user terminal to deliver to a predetermined measuring instrument terminal via the network an operational command that contains measurement items and measuring conditions of the user's interest or the like which are operated and inputted at the user terminal, in addition to the demonstration information in order to measure the properties of the desired object to be measured, thereby switch-connecting the desired object to be measured to the predetermined measuring instrument based on the delivered operational program.

The system then causes the measuring instrument terminal to control a predetermined measuring instrument connected to the measuring instrument in response to the operational command that contains demonstration information including measurement items and measuring conditions of the user's interest or the like which is output from the user terminal in order to measure the properties of the desired object to be measured, thereby switch-connecting the desired object to be measured to the predetermined measuring instruments, and to deliver a measurement result obtained by the measuring instruments to the user terminal via the network. The system then causes the user terminal to output the measurement result delivered from the measuring instrument terminal via the network.

Claim 1 requires that in response to a request for providing demonstration information on a predetermined measuring instrument from a user terminal and a request for making operation, an operational program is delivered to the user via a network. Claim 1 specifically recites that the operational program contains demonstration information for measuring properties of a desired object to be measured such as a desired electronic device

including at least one of electronic equipment and electronic parts, thereby switch-connecting the desired object to be measured to the predetermined measuring instrument.

Claim 1 also recites that the interactive demonstration system causes the user terminal to deliver a predetermined measuring instrument terminal via the network and an operational command that contains measurement items and measuring conditions of the user's interest or the like which are operated and inputted at the user terminal, in addition to the demonstration information in order to measure the properties of the desired object to be measured. Claim 1 specifically recites that the system switch-connects the desired object to be measured to the predetermined measuring instrument based on the delivered operational program.

Claim 1 also recites that the interactive demonstration system causes the measuring instrument terminal to control the predetermined measuring instrument connected to the measuring instrument terminal in response to the operational command that contains demonstration information including measurement items and measuring conditions of the user's interest or the like which

is output from the user terminal in order to measure the properties of the desired object to be measured. Claim 1 specifically recites that the system switch-connects the desired object to be measured to the predetermined measuring instrument and delivers a measurement result obtained by the measuring instrument to the user terminal via the network.

In rejecting claims 1-7 and 12 the Examiner relies upon Ezekiel in view Sprenger et al.

USP 5,790,977 (Ezekiel) is directed to communications with analytical instruments and pertains particularly to specific data acquisition from a remote instrument, for example, using a network browser on the Worldwide Web (www). Ezekiel is directed to acquiring specific measurement data regarding representative measurement items and measurement conditions which are static. See column 5, lines 31-47 of Ezekiel.

Furthermore, Ezekiel simply discloses that the user obtains measurement data due to the operation of a remote application, and selects one of some devices and measurement items fixedly provided by the provider.

Ezekiel does not teach measuring properties of a desired object to be measured, such as a desired electronic device including at least one of electronic equipment and electronic parts, thereby switch-connecting the desired object to be measured to the predetermined measuring instrument (see claim 1, lines 10-14) or measuring the properties of the desired object to be measured, thereby switch-connecting the desired object to be measured to the predetermined measuring instrument (see claim 1, lines 22-25). In addition, Ezekiel does not teach measurement items and measuring conditions of the user's interest or the like in addition to the demonstration information as now recited in claim 1 (see claim 1, lines 30-32).

In the Office Action, the Examiner states that Sprenger et al. teach "a desired measuring object to be switch-connected to the measurement instrument, and properties of the desired measuring object to be measured (see the August 12, 2004 Office Action at page 4, lines 4-6). However, unlike the present claimed invention, Sprenger et al. is not applied to an interactive demonstration system of a measuring instrument utilizing a network such as the Internet which is open to all

users and manufacturers of measuring instruments. Instead, Sprenger et al. is merely applied to a test system provided by a GUI which is closed and personal, and which is locally fixed.

In addition, Sprenger et al. do not disclose, teach or suggest that the measurement items and measuring conditions of the user's interest or the like in addition to the demonstration information are applied to an interactive demonstration system of a measuring instrument utilizing a network such as the Internet.

In view of the foregoing, claim 1 is patentable over Ezekiel and Sprenger et al. under 35 USC 102 as well as USC 103.

None of the other references of record close the gap between the present claimed invention as defined by claim 1 and Ezekiel taken either alone or in combination with Sprenger et al. Therefore, claim 1 is patentable over the cited references under 35 USC 102 as well as 35 USC 103.

Claims 2, 3 and 12 are patentable over the cited references for reasons, inter alia, set forth above in connection with claim 1.

Claims 4-9 are either directly or indirectly dependent on claims 2 and 3. Claims 4-9 are patentable over the cited

references in view of their dependence on claims 2 or 3 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 4-9.

* * * * *

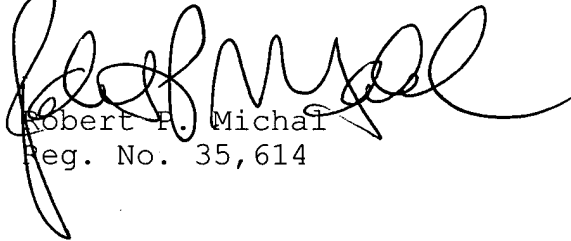
In view of the foregoing, entry of this Amendment under the provisions of 37 C.F.R. 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Appln. No. 10/070,512
Amendment dated October 22, 2004
Reply to Office Action of August 12, 2004

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



Robert F. Michal
Reg. No. 35,614

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2032
Tel. (212) 319-4900
Fax (212) 319-5101
RPM:ms